

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL D. BLEDSOE,

Plaintiff,

v.

MISSOURI DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

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No. 4:21-CV-10-JCH

MEMORANDUM AND ORDER

This matter is before the Court on the following motions filed by self-represented plaintiff Michael D. Bledsoe: (1) amended motion for leave to file an amended complaint, dated July 28, 2021 (ECF No. 24); (2) motion for an order to proceed with prisoner's section 1983 lawsuit, dated May 6, 2021 (ECF No. 25); and (3) amended declaration for entry of default, dated May 22, 2021 (ECF No. 26). For the following reasons, the three motions will be denied as moot.

On July 19, 2021, the Court issued a Memorandum and Order and an Order of Partial Dismissal upon initial review of plaintiff's complaint pursuant to 28 U.S.C. § 1915(e). The Court ordered the Clerk of Court to issue process on the complaint as to defendants Robert Killian, Steven Pfister, E. Gould, and Christine Dicus in their individual capacities. *See* ECF No. 19. Further, the Court denied without prejudice plaintiff's motion for appointment of counsel. As to plaintiff's motion for preliminary injunction, the Court stated that after the defendants were served with process and responded to plaintiff's complaint, the Court would order defendants to respond to plaintiff's motion for preliminary injunction in accordance with the Federal Rules of Civil Procedure. *Id.*

Plaintiff's "motion for an order to proceed with prisoner's section 1983 lawsuit" was drafted prior to the Court's Memorandum and Order dated July 19, 2021, and has been rendered moot by that Memorandum and Order. Likewise, plaintiff's "amended declaration for entry of default" was drafted prior to the Court's Memorandum and Order dated July 19, 2021, and also has been rendered moot. As to plaintiff's amended motion for leave to file an amended complaint, plaintiff merely proposes eliminating from his complaint the defendants that the Court dismissed in its Memorandum and Order dated July 19, 2021. The Court has already dismissed these defendants, and the docket reflects the termination of these defendants from this case. Therefore, plaintiff's amended motion for leave to file an amended complaint will be denied as moot.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's amended motion for leave to file an amended complaint is **DENIED as moot**. [ECF No. 24]

IT IS FURTHER ORDERED that plaintiff's motion for an order to proceed with prisoner's section 1983 lawsuit is **DENIED as moot**. [ECF No. 25]

IT IS FURTHER ORDERED that plaintiff's amended declaration for entry of default is **DENIED as moot**. [ECF No. 26]

Dated this 14th day of August, 2021.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE